

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6485 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA sd/-

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

MANGUSING CHATRSING RANA

Versus

DIST SUPDT OF POLICE

Appearance:

1. Special Civil Application No. 6485 of 2001
MR SL VAISHYA for Petitioner No. 1
Shri KC SHAH, AGP, for Respondents No. 1-4
-

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 06/10/2001

ORAL JUDGEMENT

1. By way of this petition the petitioner has challenged the impugned order of detention dated 12.4.2001, Annexure : A, passed by the District

Magistrate, Banas Kantha at Palanpur under Sections 3(2) and 9(2) of the Prevention of Anti-Social Activities Act. It is challenged on various grounds. No Affidavit is filed by the respondents.

2. I am not required to go into any other grounds because, according to me, on peculiar facts of this case, this petition is required to be allowed only on one ground i.e. that except one offence registered against the petitioner detenu, wherein his name was not even mentioned he has been booked under PASA. His activity at the most caused disturbance of law and order. In such cases the detention cannot be resorted.

3. In view of above discussion this petition is allowed. The impugned order dated 12.4.2001, Annexure : A is hereby quashed and set aside. The petitioner - detenu is ordered to be released forthwith if not required in any other case. Rule made absolute accordingly.

sd/-

Date : October 06, 2001 (B.J.Shethna, J.)

sas